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ABSTRACT

Schoolwide programs form the centerpiece of the Elementary and Secondary Education Act's vision of enabling programs to work together and support the overall reforms of states, school districts, and schools. A schoolwide program may now use Title I, Part A funds coupled with other federal education funds to upgrade the school's entire educational program rather than to target services only on identified children. This responds to findings showing that all children's performances are negatively affected in schools with high concentrations of poverty. Eligibility criteria dropped from 75 percent poverty to 60 percent in the 1995-96 school year and to 50 percent thereafter. This document serves as an introduction to understanding and implementing schoolwide programs. The following areas are discussed and illustrated with examples: (1) What is a schoolwide program? (2) What advantages schoolwide programs offer? (3) Which schools are eligible to operate schoolwide programs? (4) How a school becomes a schoolwide program? (5) School-level decision making; (6) Addressing the needs of all children while safeguarding target populations such as migrant or American Indian students; (7) Planning for success; (8) Schoolwide support and assistance; and (9) Combining other federal funds in a schoolwide program. Included is a copy of the Federal Register notice (Sept. 21, 1995) exempting schoolwide programs under Part A of Title I from statutory or regulatory requirements of other federal education programs. (SAS)

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SCHOOLWIDE PROGRAMS

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SCHOOLWIDE PROGRAMS

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SCHOOLWIDE PROGRAMS

INTRODUCTION

For the first time, programs under the Elementary and Secondary Education Act (ESEA) are designed to work together with, rather than separately from, one another. Moreover, rather than operating apart from the broader education that children receive, ESEA programs are more focused on supporting the overall reforms of States, school districts, and schools, and ensuring that all children--whatever their background and whatever school they attend--can reap the benefit of those reforms.

Schoolwide programs form the centerpiece of the ESEA's new vision and are among the most promising changes brought about by the Improving America's Schools Act. A schoolwide program school may now use its Title I, Part A funds coupled with other Federal education funds to upgrade the school's entire educational program, rather than to target services only on identified children. By affecting the entire program of instruction, the overall education of children in the most impoverished schools can be improved. Whereas under the former Chapter 1, schools needed 75 percent poverty to be eligible for schoolwide projects, Title I of the ESEA gives many more schools the option to develop schoolwide programs--all schools with 60 percent poverty in the 1995-1996 school year and 50 percent poverty in subsequent years. And for schools opting to become schoolwide programs, schools have expanded flexibility and support.

The ESEA's emphasis on schoolwide programs responds to a solid research base about what makes schools work for disadvantaged students. Repeated findings show that:

- all children's performance is negatively affected in schools with high concentrations of poverty.
- for the lowest achieving students in the highest poverty schools to meet high standards of performance, their entire instructional program, not just a separate Title I program, must be substantially improved.
- educators in highly successful schools expect high academic achievement from every child.
- when an entire school is the target of change, schools serving the most disadvantaged youth can achieve success.

Below, the schoolwide program provisions in the ESEA are described in greater detail, along with how they can support high-quality reform.

WHAT IS A SCHOOLWIDE PROGRAM?

A schoolwide program--

- **Is built on schoolwide reform strategies, rather than separate, add-on services.**

  A schoolwide program permits a school to use funds from Title I, Part A and other Federal education program funds and resources to upgrade the entire educational program of the school in order to raise academic achievement for all the students. This contrasts with a Title I targeted assistance program, through which Title I, Part A funds are used only for supplementary educational services for eligible children who are failing or at risk of failing to meet State standards.

- **Provides flexibility in spending Title I funds.**

  Schoolwide programs have great latitude in determining how to spend their Title I, Part A funds. Schoolwide programs do not have to identify particular children as eligible for services, show that Part A funds are paying for supplemental services that would otherwise not be provided, or separately track federal dollars. Instead, schoolwide programs can use their Title I, Part A funds in the manner they choose, as long as they engage in reform strategies that increase the amount and quality of learning time and help provide a high-quality curriculum for all children, according to a comprehensive plan to help children meet the State's challenging standards.

- **Permits flexibility to combine other Federal funds in support of the schoolwide program.**

  Schoolwide programs may now use, in addition to Title I, Part A funds, funds from most other Federal education programs to upgrade the entire educational program. A schoolwide program that includes other Federal programs **does not have to conform to the specific statutory or regulatory requirements of each separate program** as long as the intent and purposes of those programs, as well as certain requirements relating to such critical areas as civil rights and health and safety, are met. The involvement, during comprehensive planning of a schoolwide program, of all staff, parents, and others in the community that have a stake in the children's education will help to ensure that the program is designed to meet all of the school's students needs.

  At the end of this chapter is a copy of the Schoolwide Program Notice,

published in the Federal Register on September 21, 1995, that discusses which programs may be included and how their "intent and purposes" may be met.

- **Focuses on results.**

  Flexibility in the use of funds is tied to increased achievement by children in the target groups that the individual programs are intended to help.

The essential components of schoolwide programs are discussed beginning on page 8 of this chapter.

WHAT ADVANTAGES DO SCHOOLWIDE PROGRAMS OFFER?

The schoolwide program provisions provide many advantages to schools developing schoolwide programs. By allowing schools to integrate their programs, strategies, and resources, the schoolwide program authority can become the catalyst for comprehensive reform of the entire instructional program children in these schools receive. An example can show why:

> Imagine a schoolwide program funded under Title I, Part A, that also receives professional development funds under Title II, bilingual education funds under Title VII, and Vocational Education money under the Perkins Act. This schoolwide program school would not have to document that it spent professional development funds on professional development activities or Perkins money on vocational education programs. Nor does the school have to demonstrate that it is complying with all of the separate requirements of each of these programs. As long as the school meets the intent and purposes of these programs and demonstrates that its schoolwide program plan contains sufficient activities to reasonably address the needs of the intended beneficiaries of those programs that were identified through the comprehensive needs assessment, it could combine those funds with its other funds to support overall schoolwide initiatives for all students. Ultimately, the evaluation of the schoolwide program's effectiveness will demonstrate whether the intended beneficiaries' needs are being met by the many programs' resources.

By consolidating their Federal resources to support schoolwide reform, the principal, teachers and other school staff within a school, with the participation of parents, have the opportunity to:

- comprehensively plan the overall educational program for all children in the school.
- come together with one another, eliminating the isolation that characterizes working conditions for many educators.

- address the needs of students in an integrated way.
- spend Federal resources in ways they determine can most effectively raise the achievement of their students.
- stimulate comprehensive reform of the entire instructional program provided to children, rather than operating separate and fragmented add-on programs.

Schoolwides encourage schools to begin planning by asking themselves: How are the students performing in relation to what children are expected to know and do? What kind of schoolwide changes are necessary to support achievement of State standards? Is the program designed to address the needs of all children who attend the school over the entire year? As long as they are asking--and answering--these kinds of questions, schoolwides can use their Federal resources to support the kinds of changes they deem essential for the success of their students.

WHICH SCHOOLS ARE ELIGIBLE TO OPERATE SCHOOLWIDE PROGRAMS?

A school may operate a schoolwide program if--

- The LEA determines that the school serves a participating attendance area or is a participating school under section 1113 of Title I.

AND

For the 1995-1996 school year:

- at least 60% of the children enrolled in the school or residing in the attendance area the school serves are from low-income families.

For 1996-1997 and subsequent school years:

- At least 50% of the children enrolled in the school or residing in the school attendance area are from low-income families.

Note: To determine eligibility for a schoolwide program, an LEA may use a different poverty measure than the one(s) used by the LEA to identify and rank school attendance areas for Title I, Part A eligibility and participation. For example, for the 1996-1997 school year, an LEA ranks its school attendance areas using AFDC data and determines that all schools with 45 percent poverty and above will participate in Title I. Although AFDC data indicate a school has 46 percent poverty which would not make it eligible to operate a schoolwide program, free and reduced price lunch

data indicate that this same school has 52 percent poverty. The LEA may determine that this school is eligible to conduct a schoolwide program.

Q1. What happens if a school that becomes a schoolwide program drops below the initial eligibility threshold in a subsequent year?

A. To promote effective, long-term planning, a school can maintain its schoolwide program eligibility even it if drops below the initial poverty threshold. There is no required redetermination of schoolwide program status every three years as there was in the past. Therefore, a school that becomes a schoolwide in 1996 with 51% poverty can continue its schoolwide program even if its poverty level falls below 50% in following years, **as long as the school meets the general Title I eligibility and selection requirements and the LEA has sufficient funds to serve the school.**

HOW DOES A SCHOOL BECOME A SCHOOLWIDE PROGRAM?

- The LEA determines that a school's poverty level makes it eligible to become a schoolwide program--60% or greater in the 1995-96 school year and 50% or greater in the following years--and the school has been selected to participate:

AND

- The school, in consultation with its district, decides that it wants to become a schoolwide program.

AND

- High-quality assistance and support is available to the school. This can be demonstrated in one of two ways:

  - the State has provided written information to the LEA that demonstrates the SEA has established a statewide system of support and improvement.

OR

  - the school demonstrates to its LEA that it will receive high-quality technical assistance and support from other assistance providers. Among the many examples of other assistance providers a school can draw on are--

    - Comprehensive technical assistance centers.

    - Regional education and research laboratories.

- Universities, colleges and community colleges.

- Other successful schools or educators (e.g., distinguished schools or distinguished educators).

- Educators within the school.

- Local consortia of various institutions such as community service organizations, educational agencies, and private industry.

It is important to recognize that it is a school's decision as to whether it will or will not choose to operate a schoolwide program.

ENSURING HIGH-QUALITY SCHOOLWIDE PROGRAMS

The ESEA expands the schoolwide program approach and makes it easier for Title I schools to operate such programs. It permits schoolwide program schools to combine other Federal education funds in support of their schoolwide programs. It adds new provisions to ensure that schoolwide program schools undertake the kinds of fundamental instructional reforms necessary to improve teaching and learning geared to challenging standards. These provisions, discussed in greater detail below, include school-level decisionmaking, a greater emphasis on comprehensive planning and reform, and increased technical assistance and support for schools engaging in schoolwide reform.

SCHOOL-LEVEL DECISIONMAKING

Program decisions are to be made at the school level: **schools, in consultation with their districts, determine how to use their funds in ways that best meet the needs of their students.** Bringing these decisions to the school level helps discourage a district-directed "one-size-fits-all" program and, instead, affords a significant resource for schools to use to meet the needs of their students. However, consultation with the LEA regarding these decisions is extremely important because the LEA has the ultimate responsibility for the education of its students and proper administration of Federal education programs.

ESSENTIAL COMPONENTS OF SCHOOLWIDE PROGRAMS

The ESEA embraces a new approach that seeks every opportunity to focus Title I, Part A dollars, as well as other Federal and non-Federal funds and resources, on leveraging overall improvements of teaching and learning in schools with the highest levels of poverty. However, we acknowledge that some current schoolwide programs are not undertaking the kinds of fundamental instructional reforms necessary to improve teaching and learning.

Section 1114(b)(1) of Title I responds to these findings by requiring all schoolwide programs to include certain components that research suggests are essential to any high-functioning school.

Under Section 1114(b)(1) of Title I, a schoolwide program must include the following 8 components:

1. **A comprehensive needs assessment** of the entire school that is based on information on the performance of children in relation to the State content and student performance standards.

2. **Schoolwide reform strategies** that--

   - Provide opportunities for all children to meet the State's proficient and advanced levels of student performance.

   - Are based on effective means of improving children's achievement.

   - Use effective instructional strategies that--

     - Increase the amount and quality of learning time, such as extended school year, before- and after-school, and summer school programs.

     - Help provide an enriched and accelerated curriculum.

     - Meet the educational needs of historically underserved populations, including girls and women.

   - Address the needs of all children in the school, but particularly the needs of children of target populations of any program that is included in the schoolwide program, **and** address how the school will determine if these needs are met. These programs may include counseling and mentoring services, college and career preparation, such as college and career guidance, services to prepare students for school-to-work transition, and the incorporation of gender equitable methods and practices.

   - Are consistent with, and are designed to implement, the State and local improvement plans, if any, approved under Title III of Goals 2000.

3. Instruction by **highly qualified professional staff.**

(Components continued)

4. **Professional development** for teachers and aides, and where appropriate, pupil services personnel, parents, principals, and other staff to enable all children in the schoolwide program to meet the State's student performance standards. (In accordance with sections 1114(a)(5) and 1119 of Title I)

5. Strategies to increase **parental involvement**, such as family literacy services.

6. Strategies for assisting preschool children in the **transition from early childhood programs**, such as Head Start and Even Start, to local elementary school programs.

7. Steps to **include teachers in the decisions** regarding the use of assessments.

8. Activities to ensure that students who experience difficulty mastering any of the State's standards during the school year will be provided with **effective, timely additional assistance.** The assistance must include:

   - Measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance.

   - To the extent the school determines it to be feasible using Title I, Part A funds, periodic training for teachers in how to identify difficulties and to provide assistance to individual students.

   - For any student who has not met the standards, teacher-parent conferences.

- **Title I does not have to pay for these components in a schoolwide program; rather, a school with a schoolwide program must include these components in its school.**

  For example, School A decides to become a schoolwide program and to include most of its Federal funds in the schoolwide program. The school may design the schoolwide program it wants without worrying about which funding source will pay for it or even how the federal funds will be used. As long as the school as a whole includes the 8 components--i.e., does a comprehensive needs assessment, includes schoolwide reform strategies geared to challenging standards, etc...--it can spend the vast majority of its Federal resources as it chooses.

- Despite the seemingly equal weight of each of these 8 components, schools should not forget the purpose of a schoolwide program. Professional development, active and involved parents, and transition services are strategies that can help a schoolwide meet its core purpose; but they should not obscure that overall purpose--identifying and implementing those instructional strategies that can increase the quality and amount of learning time for all children to enable them to achieve to challenging academic standards.

Q2. May a schoolwide program implement the pull-out approach or operate specific programs that focus on a particular grade such as Reading Recovery?

A. As long as the school includes the 8 components outlined above, it can implement any approach it chooses to meet the needs of its students. In most cases, enabling all children to achieve to challenging standards will require comprehensive improvements in the instructional program that is provided to all students in the school. But schoolwide program activities need not be uniform for the whole school. If the school's comprehensive needs assessment indicates that certain children can benefit from different types of activities, such as Reading Recovery, H.O.T.S., or other pull-out services for some more intensive instruction, a school certainly should conduct those activities.

Schoolwide programs serve all children in a school. All staff, resources, and classes are part of the overall schoolwide program. Therefore, when visiting or discussing a properly designed schoolwide program school, references will be made to staff, children, and classrooms, as opposed to, for example, a Title I classroom. Other things that should signal an improperly designed schoolwide program include: reduction of class size is the only evidence of change; only Federal funds are being used to affect change; superintendent requires a school to conduct a schoolwide or prevents a school from conducting a schoolwide, contrary to the school's desire; before providing additional assistance, a school requires certain children to be identified as eligible to receive such assistance.

ADDRESSING THE NEEDS OF ALL CHILDREN

"High standards for all"

The expanded opportunities for schoolwide programs are designed to assist schools, districts and States to raise the achievement of all children, but particularly those who have always been the intended beneficiaries of Title I--poor children, low-achieving children, migrant children, children who are neglected or at risk of dropping out, and limited-English-proficient children. By consolidating all funds within a school with many needs, comprehensive planning and reform, and more efficient use of a total sum of funding can more effectively raise the achievement of those who are farthest behind, as long as schools understand their responsibility to serve every child and to expect every child to learn.

We emphasize that this shift in Title I diminishes neither the program's continuing commitment to equity nor its central purpose of meeting the educational needs of disadvantaged children. In fact, it is the strength of this commitment that warrants a new program approach for addressing those needs.

Safeguards

Title I relies on a **results-based accountability** approach for reinforcing this commitment. This approach is designed to give the public concrete information on how schools and districts are actually doing in raising the achievement of different groups of students.

Section 1114 of Title I also includes some additional provisions to ensure that all students' needs are addressed.

- Schoolwides must address the needs of all children in the school, but particularly the needs of children who are members of the target population of any federal education program whose funds are included in the schoolwide program.

- Schoolwides that combine migrant education funds under Part C of Title I must, in consultation with parents of migratory children or organizations representing those parents, or both, first address the identified needs of migratory children that result from the effects of their migratory lifestyle or are needed to permit migratory children to participate effectively in school and to document that services to address those needs have been provided. Because migratory children often attend school throughout a 12-month period, a schoolwide school's plan should address all the school's children, not just those who attend during the "regular" school year.

EXAMPLE OF PLANNING SCHOOLWIDE PROGRAMS TO MEET THE NEEDS OF MIGRANT STUDENTS

A high school implementing a schoolwide program conducts an assessment of the needs of its migratory students as part of its comprehensive planning. Having found that many of the migratory students who enroll at the school need assistance in preparing for the Texas Assessment of Academic Skills (TAAS), which they must pass in order to receive a diploma when they return to Texas, the school provides for tutoring services aligned to the TAAS to be offered to migratory students when they arrive at the school later in the year.

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- Schoolwides may combine Indian education funds under Subpart 1 of Part A of Title IX of the ESEA if the parent committee established by the LEA under section 9114(c)(4) approves the inclusion of those funds.

- Schoolwides may combine IDEA funds. However, all other requirements of the IDEA, such as those concerning the rights and services afforded to individual children with disabilities, must still be met in schoolwide program schools.

Sufficient Resources

To operate an effective schoolwide program, a school must have sufficient resources available. In particular, a schoolwide program school must receive at least the total amount of State and local funds that it would have received in the absence of the schoolwide program, including funds needed to provide services that are required by law for children with disabilities and children with limited-English proficiency.

PLANNING FOR SUCCESS

The schoolwide program comprehensive plan is a crucial element for reforming the instructional program in the school.

Development of Plan

- **The plan must be developed DURING A ONE-YEAR PERIOD unless--**

  - The school was operating a schoolwide project on the day before ESEA's enactment--10/20/94. The school may continue its schoolwide program as long as it develops a new plan (or amends an existing plan) during the first year of receiving assistance under Title I.

  - The LEA determines--after considering the recommendations of technical assistance providers--that less time is needed to develop and implement the schoolwide program.

- **There must be broad-based involvement in developing the plan that includes the community to be served and the individuals who will carry out the plan, including teachers, principals, other school staff and, if appropriate, pupil services personnel, parents of students in the school, and secondary students if the plan relates to a secondary school.**

- **The plan, where appropriate, must be developed in coordination with other important programs within the school.**

- The plan should be reviewed and updated regularly to reflect the needs of all children in the school.

Schoolwide Program Plan (Section 1114(b)(2) of Title I)

Each school's comprehensive schoolwide program plan must:

1. Incorporate the components of a schoolwide program.

2. Describe how the school will use resources under Title I, Part A and other sources, including other Federal education funds, to implement those components.

3. Include a list of State, LEA, and Federal programs that will be included in the schoolwide program.

4. Describe how the school will provide individual assessment results to parents.

5. (If the State has developed or adopted a final assessment system) Provide for the disaggregation of data on the assessment results of students and the reporting of those data, but only when those data are statistically sound.

   Note: It is the responsibility of the State and district, not the school, to seek to produce, in schoolwide programs, statistically sound results through the use of oversampling or other means.

6. (If the State does not have a final assessment system) Describe the data on the achievement of students in the school and effective instructional and school improvement practices on which the plan is based.

New Kinds of Planning

Title I adds a number of critical provisions to ensure that planning is part and parcel of a school's overall reform efforts and driven by the needs of the students and staff of the school, rather than administrative procedures:

- **A school can use an existing comprehensive school plan to satisfy the schoolwide planning requirements.**
  - A school with a comprehensive plan does not have to develop a separate schoolwide plan to satisfy Title I. Rather it can, and is encouraged to, incorporate the schoolwide components into its overall plan.
- **A school can structure its plan in the way it chooses.**

- Requiring a schoolwide plan to "incorporate" the components of schoolwide programs means that the plan does not have to describe each of these components separately or in any particular sequence or manner; it only must address each of these components some place within the plan.

- A schoolwide plan does not have to track activities or services to funding sources.

- **A schoolwide program plan can remain in effect for the duration of the school's participation under Title I.**

  - A school should review and update its plan, as it determines necessary, to reflect changes in its schoolwide program or changes to reflect State standards established after the plan was developed.

  - There is no longer the requirement that the schoolwide plan be submitted to the SEA every three years or to the LEA on a set cycle.

- **A school can maintain its schoolwide eligibility even if it drops below the initial poverty threshold in subsequent years.**

  - Title I, unlike the former Chapter 1, does not require a redetermination of a schoolwide program's eligibility every three years.

  - Unlike the former Chapter 1, a schoolwide program does not have to make certain specified achievement gains in order to retain its schoolwide program status.

These provisions support effective and comprehensive schoolwide planning tied to the overall planning of a school. They focus on internal professional responsibility rather than simply externally-driven accountability. And they acknowledge lessons already learned from experience with comprehensive school reform: fundamental change takes time and cannot be piecemeal, fragmented, or discontinuous.

SCHOOLWIDE SUPPORT AND ASSISTANCE

Title I focuses on schools as active and central participants in all aspects of schooling. All schools have the authority to make program decisions on how to use funds to best meet the needs of their students. Schoolwides, in particular, are far more able to design their own innovative solutions to address their schools' specific problems and needs.

For schoolwides to move successfully to the center stage of school reform, they must have access to adequate training and assistance.

School Support Teams

Section 1117(c)(1) of Title I requires that each SEA, in consultation with LEAs and schools, establish a system of school support teams to provide information and assistance to schoolwide programs and to assist those programs in providing an opportunity for all students to meet the State's student performance standards.

A school support team will work cooperatively with each school and make recommendations as the school develops its schoolwide program plan, will review each plan, and will make recommendations to the school and the LEA.

During the operation of the schoolwide program, a school support team shall--

- Periodically review the progress of the school in enabling children in the school to meet the State's student performance standards.
- Identify problems in the design and operation of the instructional program.
- Make recommendations for improvement to the school and the LEA.

Each school support team shall be composed of teachers, pupil services personnel, representatives of organizations knowledgeable about successful schoolwide programs or comprehensive school reform (especially distinguished educators) and others who are knowledgeable about research and practice on teaching and learning, particularly about strategies for improving educational opportunities for low-achieving students.

Distinguished Educators, Distinguished Schools and Alternative Approaches

There does not have to be the same number of teams as there are schoolwide programs in a State. Although this is a possibility, the law provides great flexibility for structuring a system of support. For example, the law also provides for:

- **"Distinguished Educators"** to be available to assist schoolwide program schools, as well as other schools and districts furthest from meeting the State standards.
- **"Distinguished Schools"**--those schools exceeding the State's definition of adequate progress for three years that can become mentors to other schools, and receive monetary and other rewards from the SEA and LEA.
- **"Alternative Approaches"**--a State may devise additional approaches to providing assistance, such as providing assistance through institutions of higher education or educational services agencies, as long as these alternative approaches fulfill their obligation for supporting schoolwide programs.

As noted above, it is not necessarily envisioned that there be a school support team for every schoolwide program school in a State but, rather, that there be a State system that would provide access to and support from a combination of entities in the system. The system of school support teams will coordinate and facilitate access to appropriate services and resources for schoolwide program schools. This coordination and facilitation can include direct services from a team or individual team members; team or team members working in conjunction with the SEA, institutes of higher education, regional education laboratories, the National Diffusion Network, and other consultants; or brokering and referring services to schoolwide program schools from such agencies and individuals. This type of system will help to ensure that multiple organizations and resources are effectively and systematically made available to meet individual school and LEA schoolwide program needs.

EXAMPLE:
WASHINGTON SCHOOL SUPPORT TEAMS/DISTINGUISHED EDUCATORS:

The selection of 25 Distinguished Educators will be through self-nomination and solicitation from Washington's Talent Bank (includes Apple Award winners, Teacher of the Year, etc.). The selection will be based on a dozen criteria including multiple placement experiences, demonstrated experience working with adults, and a three-year commitment.

Training and supervision will be coordinated through nine education service districts' regional centers. The initial three-day training will take place in the summer at a community college. Topics for training include State reform, IASA programs, group facilitation, the change process, and others. Training will continue throughout the year.

Distinguished Educators will assist schools identified as schoolwide or in need of school improvement as individuals or teams and matched by the needs of the school. An effort will be made to assign Distinguished Educators regionally.

Each Distinguished Educator will be given a laptop to encourage contact with schools, to communicate with each other to avoid isolation, to be on-line with supervision units, and to be on-line with the technical assistance center. They will be able to access curriculum and instruction information for their schools.

Contact: Dr. Mary-Elizabeth (Mitzi) Beach
(206)753-3220

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EXAMPLE:
THE PENNSYLVANIA SCHOOL SUPPORT SYSTEM

Pennsylvania has established a system of support for schoolwide programs and schools in need of school improvement. Since the system's primary mission is to provide technical assistance, the Division of Federal Programs is working cooperatively with Research and Information Services for Education (RISE) and the National Diffusion Network (NDN).

In order to establish a client-based support system, school district personnel have been asked to provide names of organizations and/or persons who are knowledgeable in one or more of these areas: 1) successful schoolwide programs; 2) comprehensive school reform; 3) research and practice in teaching and learning; and 4) effective strategies for improving educational opportunities for low-achieving students. These organizations/persons may include representatives from institutions of higher education, persons from regional educational laboratories or research centers, and individual or group consultants.

Once nominated for the School Support System cadre, the candidate(s) will be asked to provide additional information in a *Candidate's Profile* that will help any school district select appropriate persons with specific knowledge and expertise as a member of its School Support Team (SST). An SST directory and the compilation of the *Profiles*, will be sent to a school district requesting information about persons who can assist with a schoolwide or school improvement program. An 800 number for the School Support Team System will also be available for easy access to information.

When the parameters of the School Support services have been established, the school district and SST enter into an agreement that outlines the workscope and the amount of the SST financial reimbursement. Additional team members may be added on a short-term basis for specified technical assistance.

The Division of Federal Programs, in cooperation with RISE, will provide a training program for SST members. After the completion of the SST's work, the school district personnel will respond to a questionnaire about the implementation of the SST process and the effectiveness of the team members in their selected roles. In this way, the School Support System will be an evolving process.

Contact: Mr. James M. Sheffer
(717)783-9161

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ACCOUNTABILITY

Schoolwide programs enable schools with high concentrations of poverty to utilize their many funding sources to provide a comprehensive educational program for all of their children. The goal for this coordinated approach is to enable all children, including those furthest behind, to reach the challenging academic standards established for all children. Under a thoughtful, creative plan that addresses the statutory components, it is hoped that schoolwide programs will be an effective vehicle for providing many target populations with a challenging, cohesive program.

To the extent that schoolwide programs are not effective, however, schoolwide programs are no longer subject to a three-year accountability test. Rather, the same standards, assessments, and school improvement provisions that apply to all Title I, Part A-funded schools apply to schoolwide programs. In other words, they are not required to be discontinued.

On a broader note, the Department is directed by section 1501 of Title I to examine, in a national assessment of Title I programs, how well schools are providing participating children an enriched and accelerated educational program through schoolwide programs and how schoolwide programs are meeting the needs of children from migratory families. In this assessment, the Department will examine how the authority contained in the schoolwide program notice (at the end of this chapter) has been implemented.

COMBINING OTHER FEDERAL FUNDS IN A SCHOOLWIDE PROGRAM

As discussed above and also more fully in a copy of the Schoolwide Program Notice (60 FR 49174 (Sept. 21, 1995)) at the end of this chapter, a schoolwide program school may combine funds and resources from other Federal education programs in addition to its Title I, Part A funds and resources to upgrade the entire educational program in the school. If a schoolwide program exercises this authority, it is exempt from many statutory and regulatory provisions of the programs whose funds and resources it combines as long as it meets the intent and purposes of those programs.

Q3. From which Federal education programs may a schoolwide program school combine funds and services in its schoolwide program?

A. Except as provided in the Schoolwide Program Notice at the end of this chapter, a schoolwide program school may use funds or resources that the school receives from any Federal education program administered by the Secretary to upgrade its entire educational program.

Q4. May a schoolwide program school combine funds it receives under the Individuals with Disabilities Education Act (IDEA)?

A. Yes. Under the 1997 reauthorization of IDEA, an LEA may use a per-child share of its Part B, IDEA funds in a schoolwide program school in which children with disabilities are participating. Specifically, the amount of Part B funds that may be combined may not exceed an amount equal to the number of children with disabilities participating in the schoolwide program multiplied by the amount of Part B funds per child with disabilities the LEA received. Unlike other Federal education programs whose funds are combined in a schoolwide program, the reauthorized IDEA only allows flexibility in the use of funds. All other requirements of the IDEA, such as those concerning the rights and services afforded to individual children with disabilities, must still be met for children in schoolwide program schools.

Similarly, an LEA may use funds provided for eligible children with disabilities under section 8003(d) of the ESEA (Impact Aid) in the same manner.

Q5. If a schoolwide program school combines funds from other Federal education programs, how does the school determine if the intent and purposes of those programs are met?

A. A schoolwide program school must meet the intent and purposes of the programs from which funds are combined to ensure that the needs of the intended beneficiaries of those programs are addressed. Therefore, the school must be able to demonstrate that its schoolwide program contains sufficient activities to reasonably address those needs and thus meet the intent and purposes of each program. However, the school need not document that it used funds from a particular program to meet the specific intent and purposes of that program. The Schoolwide Program Notice at the end of this chapter provides examples illustrating how a schoolwide program can meet the intent and purposes of various Federal education programs whose funds may be combined in a schoolwide program.

Q6. From what requirements is a schoolwide program not exempt?

A. Even though a schoolwide program school combines funds from other Federal programs in its schoolwide program and is thus freed from most statutory and regulatory requirements of those programs, the school and its LEA, as appropriate, must still comply with requirements applicable to those programs relating to:

- health and safety requirements
- civil rights requirements
- gender equity requirements
- participation and involvement of parents and students
- private school children, teachers, and other educational personnel

- maintenance of effort
- comparability of services
- requirements to use Federal funds to supplement, and not supplant, non-Federal funds (see Q8. below)
- distribution of funds to SEAs and LEAs

In addition, a school must comply with certain requirements if it combines funds from the following programs in its schoolwide program:

- Consistent with section 1306(b)(3) of Title I and §200.8(c)(3)(ii)(B)(*1*) of the Title I regulations, a schoolwide program school that combines Migrant Education Program (MEP) funds under Part C of Title I must, in consultation with parents of migratory children or organizations representing those parents, first address the identified needs of migratory children that result from the effects of their migratory lifestyle or are needed to permit those children to participate effectively in school, and document that services to address those needs have been provided.

- Consistent with section 9115(c) of the ESEA and §200.8(c)(3)(ii)(B)(*2*) of the Title I regulations, a schoolwide program school may combine funds received under Subpart 1 of Part A of Title IX of the ESEA regarding Indian education if the parent committee established by the LEA under section 9114(c)(4) of the ESEA approves the inclusion of those funds.

Finally, a school may combine IDEA funds in its schoolwide program if the amount of IDEA funds used in the schoolwide program does not exceed an amount equal to the number of children with disabilities participating in the schoolwide program multiplied by the per-child amount of IDEA funds received by the school's LEA. Except for how the school uses its IDEA funds, the school must comply with all other requirements of IDEA to the same extent it would if it did not combine IDEA funds in its schoolwide program.

Q7. If a schoolwide program school is not required to identify particular children, how can the school determine whether it is meeting the needs of the intended beneficiaries of the Federal education programs whose funds it has combined?

A. A schoolwide program school is not required to identify particular children as eligible to participate in a schoolwide program because it is not required to focus Federal education funds on particular children. All children are eligible to participate in all aspects of the schoolwide program, as appropriate. However, in order to know how best to address the needs of all children in the school, particularly the needs of children who are members of the target population of any program whose funds are combined, the school by necessity needs to know which children have special needs because they are, for example, migrant, or limited English proficient, or at risk of failing to meet the State's academic performance standards. The school also must

identify children by certain characteristics in order to disaggregate data on its final State assessment.

Q8. How can a schoolwide program school demonstrate that it supplements, not supplants State and local funds for free public education?

A. The supplement, not supplant requirement as it applies to a school operating a schoolwide program requires the school to use Title I, Part A funds and other Federal education program funds included in the schoolwide program only to supplement the total amount of ***funds*** that would, in the absence of the Federal funds, be made available from non-Federal sources for that school, including funds needed to provide services that are required by law for children with disabilities and children with limited-English proficiency. Generally, it would be an LEA's responsibility, not the school's, to ensure that a schoolwide program school receives all the State and local funds it would have received had it not been a Title I schoolwide program school. In other words, an LEA may not discriminate against a schoolwide program school in the distribution of State and local funds and resources because it is receiving Federal funds to operate a schoolwide program. Through its regular procedures for distributing funds and resources or other records, an LEA should be able to demonstrate that it has distributed State and local funds fairly and equitably to all its schools--including schoolwide program schools--without regard to whether those schools are receiving Federal education funds.

A schoolwide program school is not expected to keep records of the particular services paid for with Federal education funds that are used in the schoolwide program nor required to demonstrate that any particular service supplements the services regularly provided in that school.

Q9. What recordkeeping requirements apply to an LEA with respect to Federal education funds that are combined in a schoolwide program?

A. An LEA must be able to show the amount of funds from each Federal education program for each grant year that the LEA allocated to a schoolwide program. In addition, an LEA must be able to show that the Federal funds were expended by the schoolwide program to satisfy Federal reporting requirements and cash management and availability of funds requirements. Neither an LEA nor a schoolwide program school is required to assign specific costs to Federal funds combined in the schoolwide in general or to particular Federal programs. In other words, Federal funds combined in a schoolwide program lose their specific program identity and may be used for any costs of the schoolwide program. Thus, to demonstrate that the Federal funds in a schoolwide program have been expended, the LEA may use any reasonable method. For example, the LEA could allocate expenditures of Federal funds in a schoolwide program school in proportion to the Federal funds provided to the school.

If a schoolwide program school combines MEP funds, the school must document that it provided specific services to its migratory children to address needs that stem from their migratory lifestyle or that preclude them from participating effectively in school. This documentation could include a record of the amount of dollars spent on such services and a description of the services provided. The school does not need to document, however, that it used MEP funds to address those needs; rather, the school may use any of its funds to address the needs of migratory children.

Q10. In a schoolwide program, may Federal education funds included in a schoolwide plan be combined (i.e., not be accounted for by program) with State and local funds?

A. Yes. Federal education funds that are included in the schoolwide plan do not have to be accounted for separately and may be combined with State and local funds in the schoolwide program. If a schoolwide program school does not combine all of its Federal education funds, however, those funds would have to be accounted for separately.

Q11. May an SEA require an LEA with schoolwide program schools to account separately for each Federal program even though the funds may be combined?

A. An SEA has the authority to establish necessary accounting procedures to ensure proper use of Federal program funds. However, the purpose of section 1114(a)(4) of Title I is to allow a school to combine funds from other Federal education programs to upgrade the entire educational program of the school. Thus, requiring schools to maintain separate accounts may contravene this purpose.

Q12. Under OMB Circular A-87, Attachment B.11.h.(3) and (4), charges for wages and salaries of employees who work solely on a single Federal award or cost objective must be supported by periodic certifications that the employees worked solely on that program. If employees work on multiple activities or cost objectives, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation. What documentation is needed for employees in a schoolwide program school?

A. Federal education funds that are combined in a schoolwide program school lose their identity as specific program funds. Therefore, neither personnel activity reports for time distribution nor periodic certifications are required. An LEA must still keep in mind the standards for general payroll documentation described in Circular A-87, Attachment B.11.a, b and c.

Records described in OMB Circular A-87, Attachment B.11.h.(3) or (4), (5), & (6), respectively, would be necessary if there are employees in the schoolwide program

who are paid, in whole or in part, by Federal programs that have NOT been combined in the schoolwide program.

Q13. In calculating "current expenditures" for the purpose of determining the State per pupil expenditure (SPPE), a State must exclude expenditures by its LEAs of Federal funds under Titles I and VI of the ESEA. If funds under Titles I and VI are combined in a schoolwide program and thus lose their specific program identity, how can the LEA determine its expenditures of those funds so that the State may exclude them in determining SPPE?

A. To determine its expenditures under Titles I and VI in a schoolwide program school, an LEA could calculate the percentage of funds that Title I and Title VI contributed to the schoolwide program and then apply those percentages to the total expenditures in the schoolwide program. For example, if Title I, Part A contributed 20% of the funds in the schoolwide program and Title VI contributed 5%, the LEA would attribute 20% of the funds expended in the schoolwide program school to Title I, Part A and 5% to Title VI. These amounts would then be excluded by the State in calculating current expenditures. Other reasonable methods may also be used.

Q14. Expenditures of Federal funds are to be excluded in determining whether an LEA has maintained fiscal effort. If Federal funds are combined in a schoolwide program and thus lose their specific program identity, how can the LEA determine the amount of Federal expenditures to exclude in calculating maintenance of effort?

A. In calculating whether it has maintained effort, an LEA could allocate expenditures of Federal funds in a schoolwide program in proportion to the amount of Federal funds provided to the schoolwide program. For example, if Federal programs contributed 25% of the funds in a schoolwide program, the LEA would consider 25% of the funds expended in the schoolwide program to be Federal funds that the LEA would then exclude from its maintenance of effort determination. Other reasonable methods may also be used.

Q15. Some programs have limitations on the use of funds for certain activities within the program. For example, section 4116(c)(1) of Title IV (safe and drug-free schools) limits expenditures for certain activities (supporting "safe zones of passage," acquiring and installing metal detectors, and hiring security personnel) to not more than 20% of the funds made available to an LEA under Part A, Subpart 1 of Title IV. How does this limitation apply in the following scenarios?

(a) <u>Calculating the amount of the cap.</u> If some Title IV funds are combined in a schoolwide program and therefore lose their identity as Title IV funds, are those funds included in the base on which the LEA calculates the 20% cap?

A. Yes. Section 4116(c)(1) of Title IV limits the expenditure of funds for the activities described above to not more than 20% of the funds made available to the LEA under Title IV, Subpart 1 in a given fiscal year. We interpret this language to mean the allocation of Title IV, Part A, Subpart 1 funds an LEA receives from the Federal appropriation for that program in a given fiscal year. Thus, the amount of the 20% cap is calculated on the basis of an LEA's full Title IV, Part A, Subpart 1 allocation, regardless of whether Title IV funds are being used in a schoolwide program or in a categorical drug-free program.

(b) Exceeding the cap. **If Title IV funds are combined in a schoolwide program and the schoolwide program school spends funds for the activities described above, are those expenditures considered in determining whether the Title IV cap has been exceeded?**

A. No. Title IV funds lose their specific program identity when they are combined in a schoolwide program.

Q16. **At least two Federal education programs limit the amount of funds that may be carried over to the subsequent fiscal year. Section 1127(a) of Title I prohibits an LEA from carrying over more than 15% of the amount of funds allocated to it for any fiscal year under Part A. Similarly, section 4113(f)(2) of Title IV (safe and drug-free schools) prohibits an LEA from carrying over more than 25% of the allocation it receives under Title IV for that fiscal year unless approval to carry over a greater amount is given by the SEA. How are the amounts of these caps calculated in the following scenarios?**

(a) If funds from other Federal education programs are combined in a schoolwide program, are those funds included in the base on which Title I, Part A's 15% carryover cap is calculated?

A. No. The 15% cap on carryover funds under Title I, Part A is calculated only on the allocation an LEA receives under Part A in a given fiscal year.

(b) If funds from a program with a cap on carryover (e.g., Title I, Part A and Title IV, Subpart 1) are combined in a schoolwide program, are those funds still included in the base on which the respective cap is calculated?

A. Yes. Under section 1127 of Title I, an LEA may carry over not more than 15% of the funds allocated to the LEA under Subpart 2 of Part A. Thus, all Subpart 2 funds an LEA receives, whether used in schoolwide or targeted assistance schools, would be included in the base for calculating the 15% cap. Similarly, under section 4113(f)(2) of Title IV, Title IV funds combined in a schoolwide program would be included in the base in calculating the 25% cap on carryover because they would be part of the Title IV allocation an LEA receives.

Q17. If Federal funds are not tracked in a schoolwide program, would it not be possible for an LEA to request all of the Federal funds for a schoolwide program in advance and then transfer them to the building for future expenditure?

A. The schoolwide program provisions do not authorize an LEA to draw down in advance all the Federal funds needed for the schoolwide program. Rather, the general provisions requiring both grantees and subgrantees to make drawdowns as close as possible to the time of making disbursements also apply to Federal funds used in a schoolwide program.

EXAMPLES OF SUCCESSFUL SCHOOLWIDE PROGRAMS

Although there are many successful and innovative schoolwide programs throughout the country, to provide some insight into how some of these look, a few examples are provided below.

EXAMPLE:

In addition to operating a schoolwide program during regular school sessions, a Title I middle school uses supplemental funds to extend the school year by providing intersession programs year-round. These intersession programs emphasize applications of academic skills in the world outside of schools. Three strands focus on experiencing language and literacy through the Arts, investigating the applications of mathematics and physics in agriculture and industry, and understanding history and social sciences with business and community organizations. The program is hands-on and involves considerable activity outside of the school designed to draw linkages from classroom activities to real world applications. Students receive credit based on participation and completion of project-based assignments.

EXAMPLE:

The number of LEP students in one small Midwest city has grown rapidly in recent years. Two schools in low-income neighborhoods were using Title I funds to hire bilingual paraprofessionals to help Spanish-speaking Title I students with language arts and mathematics at learning centers in the regular classroom. Teachers felt the program was working fairly well, but students were not able to receive help outside of language arts and mathematics; the small number of paraprofessionals could not keep pace even with that limited range of responsibility. The superintendent and the board of education saw an opportunity to begin a more integrated approach through the schoolwide process. The schools' principals used schoolwide planning time to assess their staff members' abilities to teach in both English and Spanish, began a professional development program for bilingual paraprofessionals and their credentialed colleagues, and made staff changes to supplement staff members' dual-language instructional capabilities. The parent involvement elements of Title I were redesigned to better engage language minority parents in the education of their children and to educate the parents about the techniques of bilingual education. The results were greater parental involvement in literacy activities for children in the home language and better content learning throughout the (now bilingual) curriculum.

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A book entitled, An Idea Book for Educators: Implementing Schoolwide Projects, was prepared for the U.S. Department of Education. This book is a resource for policy-makers and practitioners, designed to show how local initiative and determination can become a foundation on which to plan future programs to ensure that all children meet high academic standards. The book also includes profiles of 12 elementary schoolwide programs along with information for readers to contact the schools if further information is wanted. Copies of some of these profiles are included at the end of this section. To obtain a copy of this book, call (202)401-0590.

federal register

Thursday
September 21, 1995

Part XIII

Department of Education

Part A of Title I of the Elementary and Secondary Education Act of 1965, as Amended; Notice

DEPARTMENT OF EDUCATION

Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended

AGENCY: Department of Education.

ACTION: Notice exempting schoolwide programs under Part A of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, from statutory or regulatory requirements of other Federal education programs.

SUMMARY: The U.S. Secretary of Education (the Secretary) exempts schoolwide programs under Part A of Title I, ESEA, from complying with statutory or regulatory provisions of most Federal education programs, if the intent and purposes of those programs are met in the schoolwide program. This notice complements the final Title I regulations that were published in the Federal Register on July 3, 1995 (60 FR 34800). Those final regulations explain schoolwide programs in greater detail, including eligibility requirements and program components. This notice identifies which Federal education program funds and services may be incorporated in a schoolwide program and provides guidance on satisfying the intent and purposes of the programs included.

FOR FURTHER INFORMATION CONTACT: Mary Jean LeTendre, Director, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue, SW (Portals Building, room 4400), Washington, D.C. 20202–6132. Telephone (202) 260–0826. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Schoolwide Programs in General

One of the most promising changes in the recent reauthorization of Title I, ESEA, is the expansion of schoolwide programs. A schoolwide program permits a school to use funds under Part A of Title I to upgrade the entire educational program of the school and to raise academic achievement for all children in the school, in contrast to a Title I targeted assistance program, in which Part A funds may be used only for supplementary educational services for eligible children. Under the reauthorized ESEA, this authority has now been expanded to include other Federal education funds (see the heading "Inclusion of other Federal Funds").

Schoolwide programs grew out of research about what makes schools work for disadvantaged students. Repeated findings show that the principals, teachers, and other staff in highly successful schools develop and carry out comprehensive schoolwide reform strategies and expect high academic achievement from every child. They establish safe environments that are conducive to learning and support enriched instruction in an expanded core of subjects. Over the years, researchers have documented that when the entire school is the target of change, schools serving even the most disadvantaged youth can achieve success.

Section 1114 of Title I authorizes a school with a concentration of poverty of at least 60 percent in the 1995–96 school year and 50 percent in subsequent years to use funds under Part A to operate a schoolwide program and upgrade the entire educational program in the school. Under section 1114(b) of Title I and § 200.8(d) of the final regulations, each schoolwide program must include a number of specific components. A schoolwide program school, for example, must conduct a comprehensive needs assessment of the entire school to determine the performance of its children in relation to the State's challenging content and performance standards; implement schoolwide reform strategies that are based on effective means of improving the achievement of children and that address the needs of all children in the school; use highly qualified professional staff; provide professional development for teachers and other staff; and implement strategies to increase parental involvement. Under a schoolwide program, a school is not required to identify particular children as eligible to receive Part A services, demonstrate that the services provided with Part A funds are supplemental to services that would otherwise be provided, or document that Part A funds are used to benefit only the intended beneficiaries.

Inclusion of Other Federal Education Funds

For the first time, a schoolwide program school may also use funds from other Federal education programs in addition to Part A funds to upgrade the entire educational program. Specifically, section 1114(a)(4) of Title I authorizes the Secretary, through publication of a notice in the Federal Register, to exempt schoolwide programs from statutory or regulatory provisions of any other noncompetitive, formula grant program or any discretionary grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act), if the intent and purposes of those programs are met.

This authority affords a schoolwide program school significant flexibility to serve better all children in the school and their families through comprehensive reforms of the entire instructional program, rather than by providing separate services to specific target populations. The Secretary emphasizes that a school with a schoolwide program must address the needs of all children in the school, particularly the needs of children who are members of the target population of any other Federal education program that is included in the schoolwide program.

Through this notice, the Secretary authorizes a schoolwide program school to use funds from most Federal education programs administered by the Secretary (including programs under the School-to-Work Opportunities Act, which is jointly administered by the Secretary and the U.S. Secretary of Labor) to support its schoolwide program. This authority also extends to services, materials, and equipment purchased with those funds and provided to the school. To provide schoolwide program schools maximum discretion in using resources from Federal education programs to their best advantage, the Secretary encourages local educational agencies (LEAs), to the extent possible, to provide Federal funds directly to those schools, rather than providing personnel, materials, or equipment.

Programs That May Be Included

Except as provided below and consistent with this notice and section 1114 of Title I, the Secretary authorizes a schoolwide program school to use funds or services that the school receives from any Federal education program administered by the Secretary to upgrade its entire educational program. This authority does not apply to funds from the following types of programs:

- Formula or discretionary grant programs under the Individuals with Disabilities Education Act (excluded by section 1114(a)(4)(A) of Title I) and funds provided for eligible children with disabilities under section 8003(d) of the ESEA.
- Funds provided under the Schools Facilities Infrastructure Improvement

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Act to ensure the health and safety of students through the repair, renovation, alteration, and construction of school facilities.

• Programs under Subpart 1 of Part D of Title I, ESEA, to State agencies for services to children in State institutions for neglected or delinquent children, unless funds are used for transition services involving a schoolwide program school.

• Programs under the Adult Education Act or Subpart 3 of Part A of Title IX of the ESEA (adult Indians), unless adult literacy services are integrated within a schoolwide program plan. Adult education funds could be included, for example, if they provide adult literacy as part of a family literacy activity under a schoolwide program plan.

• Funds awarded to institutions of higher education, unless those funds support elementary or secondary schools (e.g., the School, College, and University Partnerships program).

• Programs that are not administered by the Secretary, such as the National School Lunch Program and Head Start.

In addition, the authority to use funds under other programs in schoolwide program schools does not apply to funds that are allocated by formula to nonschoolwide program schools in an LEA. This is not an authority to redistribute funds among schools. Any redistribution of funds would have to be consistent with the authorizing statute.

Satisfying "Intent and Purposes"

In general, a school that combines funds from other Federal education programs in a schoolwide program is not required to meet the statutory or regulatory requirements of those programs. Combining funds to meet the collective needs of the included programs allows schools to address needs in an integrated way and frees schools from documenting that a specific program dollar was spent only for a specific program activity. However, the school must meet the intent and purposes of the included programs to ensure that the needs of the intended beneficiaries of those programs are addressed by the school. In so doing, the school must be able to demonstrate that its schoolwide program contains sufficient activities to reasonably address those needs and thus meet the intent and purposes of each included program. However, the school need not document that it used funds from a particular program to meet the specific intent and purposes of that particular program.

The following examples illustrate how a schoolwide program could meet the intent and purposes of specific Federal education programs:

• A secondary school may use funds received under the Carl D. Perkins Vocational and Applied Technology Education Act to support its schoolwide program if its program improves vocational education in the school, for example, by integrating academic and vocational education, and its program improves access to vocational education for special populations in the school.

• A schoolwide program school may use funds received under the Dwight D. Eisenhower Professional Development program provided the school has a sustained and intensive high-quality professional development program for school staff in core academic subjects that is aligned with the State's content and performance standards, reflects recent research on teaching and learning, and incorporates methods and practices to meet the educational needs of diverse student populations.

• A schoolwide program school may use funds received under Subpart 1 of Part A of the Safe and Drug-Free Schools and Communities program provided the school has a comprehensive drug and violence prevention program designed for all students and employees to create a disciplined environment conducive to learning, prevent violence and promote school safety, prevent the use, possession, and distribution of tobacco, alcohol, and illegal drugs by students, and prevent the illegal use, possession, and distribution of those substances by employees.

• A school may use funds received under Subpart 1 of the Bilingual Education Act to support its schoolwide program provided the program implements a bilingual education or special alternative instruction program that reforms, restructures, and upgrades the programs and operations that serve limited-English proficient children and youth in the school.

• A secondary school may use funds received under the School-to-Work Opportunities Act to support its schoolwide program provided the program integrates school-based and work-based learning, establishes effective linkages between secondary and postsecondary education, and is part of a comprehensive State model school-to-work opportunities system that provides for the early selection of career majors and the awarding of skill certificates.

The Department will provide examples from schoolwide schools when they become available.

Requirements With Which a Schoolwide Program School Must comply.

Even though a schoolwide program school combines funds from other Federal programs in its schoolwide program and is thus freed from most statutory and regulatory requirements of those programs, the school and its LEA, as appropriate, must still comply with requirements applicable to those programs relating to—

• Health and safety requirements.

• Civil rights requirements. These requirements include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act of 1990. In addition, if a schoolwide program school receives Magnet Schools Assistance funds, to eliminate, reduce, or prevent minority group isolation, the school must continue to operate under its desegregation plan.

• Gender equity requirements.

• Participation and involvement of parents and students. A schoolwide program school must implement extensive parent involvement requirements under Part A that would likely satisfy most, if not all, parent involvement requirements in other Federal education programs.

• Private school children, teachers, and other educational personnel. In other words, applicable requirements concerning the equitable participation of eligible private school children, teachers, and other educational personnel under other Federal education programs must be met even though funds from those programs are combined in schoolwide program schools.

• Maintenance of effort. For programs covered under the maintenance of effort requirements in section 14501 of the ESEA, those requirements would be met through participation in Part A.

• Comparability of services. For example, a secondary schoolwide program school within an LEA that receives funds under the Carl D. Perkins State Vocational and Applied Technology Education Program must be provided services from State and local funds that, taken as a whole, are at least comparable to the services being provided in other secondary schools or sites within the same LEA that are not being served with Perkins funds.

• Use of Federal funds to supplement, not supplant non-Federal funds. In other words, a schoolwide program school must receive at least the same amount of State and local funds that, in

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the aggregate, it would have received in the absence of the schoolwide program, including funds needed to provide services that are required by law for children with disabilities and children with limited-English proficiency. The school, however, does not have to demonstrate that the specific services provided with those funds are supplemental to services that would have been provided in that school in the absence of the schoolwide program.

• Distribution of funds to State educational agencies (SEAs) and LEAs.

In addition, a school must comply with the following requirements if it combines funds from these programs in its schoolwide program:

• Consistent with section 1306(b)(3) of Title I and § 200.8(c)(3)(ii)(B)(1) of the proposed Title I regulations, a schoolwide program school that combines funds received under Part C of Title I, ESEA, for the education of migratory children must, in consultation with parents of migratory children or organizations representing those parents, first address the identified needs of migratory children that result from the effects of their migratory lifestyle or are needed to permit those children to participate effectively in school and document that services to address those needs have been provided.

• Consistent with section 9115(c) of the ESEA and § 200.8(c)(3)(ii)(B)(2) of the Title I regulations, a schoolwide program school may combine funds received under Subpart 1 of Part A of Title IX of the ESEA regarding Indian education if the parent committee established by the LEA under section 9114(c)(4) of the ESEA approves the inclusion of those funds.

Cross-cutting Federal Requirements

There are requirements contained in the General Education Provisions Act and in the Education Department General Administrative Regulations that apply generally to Department of Education grants, including Title I. To the extent that these requirements affect activities in schools, they would also apply to a schoolwide program school by virtue of its participation in Title I. The consolidation of Department programs in a schoolwide program, however, would not add to these requirements or require that they be applied separately on a program-by-program basis.

Discretionary Grant Funds

In general, a schoolwide program school may combine funds it receives from discretionary (competitive) grants as well as from formula grants. If a schoolwide program school combines funds from discretionary grant programs, the school must still carry out the activities described in the application under which the funds were awarded. For example, if a schoolwide program is based in a school receiving Federal funds under the Magnet Schools Assistance program, the school must implement activities described in its plan to eliminate, reduce, or prevent minority group isolation. However, a schoolwide program school would not need to account separately for specific expenditures of the combined Federal funds. Although not required, the applicant LEA or school preferably should indicate in its application for discretionary funds that some or all of the funds would be used to support a schoolwide program and describe its activities accordingly. Moreover, if authorized by the program statute, the Department or an SEA could include in its selection criteria for a particular program extra points for conducting activities in a schoolwide program school. For example, an SEA could include such points when awarding subgrants under the Even Start Family Literacy program, which requires an SEA to give priority to applicants that target services to families in need of family literacy services residing in areas with high levels of poverty, illiteracy, or other such need-related factors, including projects that serve a high percentage of children to be served who reside in participating areas under Part A.

Limitations

The authority in this notice does not apply to nonschoolwide program schools that participate in Title I. Those schools must comply with all statutory and regulatory requirements that apply to funds or benefits they receive. This authority also does not relieve an LEA from complying with all requirements that do not affect the operation of a schoolwide program. For example, to the extent an LEA is required under the Stewart B. McKinney Homeless Assistance Act to designate a homeless liaison to ensure, among other things, that homeless children and youth enroll and succeed in school, the LEA would not be relieved of this requirement by virtue of operating one or more schoolwide programs.

Guidance and Technical Assistance

The Secretary intends to issue additional guidance on schoolwide programs in the near future. In addition, staff in the office of Compensatory Education Programs, in conjunction with staff in the other affected Federal program offices, are available to assist LEAs and schools operating schoolwide programs to implement the authority contained in this notice. If LEAs or schools have specific questions, they should contact Mary Jean LeTendre, Director, Compensatory Education Programs, as provided at the beginning of this notice.

National Assessment of Schoolwide Programs

The Department is directed by section 1501 of Title I to examine, in a national assessment of Title I programs, how well schools are providing participating children an enriched and accelerated educational program through schoolwide programs and how schoolwide programs are meeting the needs of children from migratory families. In this assessment, the Department will examine how the authority contained in this notice has been implemented.

Dated: September 15, 1995.

Richard W. Riley,

Secretary of Education.

(Catalog of Federal Domestic Assistance Number 84.010, Improving Programs Operated by Local Educational Agencies)

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